

Message Text

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14

ORIGIN OPIC-06

INFO OCT-01 EA-06 EB-07 ISO-00 L-03 COME-00 TRSE-00 XMB-02

AID-05 OMB-01 CIEP-01 CIAE-00 INR-07 NSAE-00 /039 R

DRAFTED BY OPIC/GC:CHUNT

APPROVED BY EB/IFD/OIA:RJSMTIH

EB/IFD/OIA:DSTEBBING

EA/IMS:ARDORNHEIM

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R 042229Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

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E.O. 11652: N/A

TAGS: EINV

SUBJECT: GOI APPROVALS FOR OPIC INSURANCE: LICENSING

REF: STATE 171012

1. ANALYSIS AND APPROACH SET FORTH IN REFTEL WAS MAILED TO HOAGLAND WHO HAD SENT OPIC A MEMORANDUM WITH HIS THOUGHTS ON THE PROBLEM OF GETTING APPROVALS FOR OPIC COVERAGE OF LICENSING AGREEMENTS. WHEREAS MAIN THRUST OF OPIC ANALYSIS IN REFTEL IS THAT IT IS UNNECESSARY TO REGARD THE COVERAGE WHICH MAY BE ISSUED PURSUANT TO THE INVESTMENT GUARANTY BILATERAL AS BEING LIMITED TO "CAPITAL INVESTMENT" AS DEFINED IN THE INDONESIAN INVESTMENT LAW NO. 1 OF 1967, HOAGLAND ANALYSIS SUGGESTS WAY IN WHICH LAW NO. 1 CAN BE CONSTRUED AS EXTENDING TO SUCH LICENSING.

2. IN JULY 28 TELEPHONE DISCUSSION WITH HOAGLAND, OPIC DEPUTY GENERAL COUNSEL AGREED THAT HOAGLAND APPROACH SHOULD BE TRIED FIRST AS IT PERMITS REVIEW AND CONTROL OF ENTERPRISE LAUNCHED ON BASIS OF SUCH LICENSING ARRANGEMENTS

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UNDER MACHINERY ALREADY ESTABLISHED UNDER LAW NO. 1.

3. IN VIEW PROJECTED HOAGLAND RETURN TO JAKARTA SECOND
WEEK OF SEPTEMBER OPIC PREFERS TO WAIT AND HAVE HOAGLAND
PURSUE THIS MATTER DIRECTLY WITH BARLI HALIM AT THAT TIME.
HOAGLAND MEMO AND RELATED PAPERS BEING POUCHED.
DECONTROL 8/4/76 INGERSOLL

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Message Attributes

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